

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

\_\_\_\_\_  
UNITED STATES OF AMERICA )

v. )

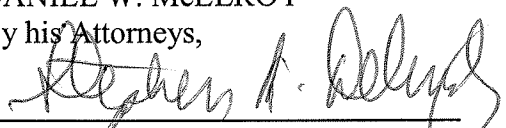
CASE NO. 05-10019-RGS

DANIEL W. McELROY and )  
AIMEE J. KING McELROY )  
\_\_\_\_\_) )

**DEFENDANT, DANIEL W. MCELROY'S MOTION FOR A  
DOWNWARD DEPARTURE**

The Defendant, Daniel W. McElroy, moves for a Downward Departure of the  
Sentencing Guidelines for the reasons stated in his accompanying Sentencing  
Memorandum.

Respectfully submitted,  
DANIEL W. McELROY  
By his Attorneys,

  
Stephen R. Delinsky (BBO #119120)  
ECKERT, SEAMANS, CHERIN & MELLOTT, LLC  
One International Place, 18<sup>th</sup> Floor  
Boston, Massachusetts 02110  
Telephone No.: (617) 342-6800  
Facsimile No. (617) 342-6899

DATED: July 14, 2008

**CERTIFICATE OF SERVICE**

I hereby certify that this document(s) filed through the  
ECF system will be sent electronically to the registered  
participants as identified on the Notice of Electronic Fil-  
ing (NEF) and paper copies will be sent to those indi-  
cated as non-registered participants on

By:  7-14-08